

Child Exposure to Domestic Violence as a form of Child Abuse

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Definition of Child Abuse

- * ... inflicted deficits between circumstances of living which would facilitate the optimal development of children, to which they should be entitled, and their actual circumstances. (Gil, 1975)
- * any act of commission or omission that endangers or impairs the physical/psychological health and development of an individual under the age of 18 [Para 2.1, Chapter 2, , Procedural Guide for Handling Child Abuse Cases (Revised 2007)]

Types of Child Abuse

- * Physical abuse
- * Sexual abuse
- * Psychological abuse
- * Neglect

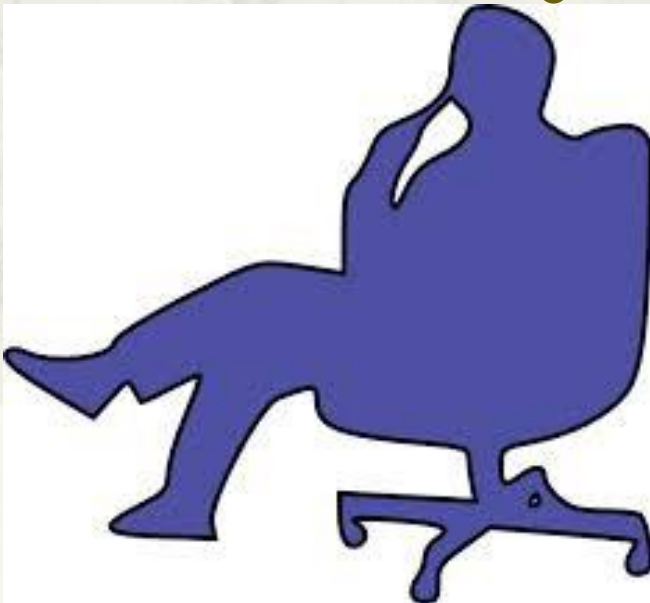


Observation :

Current classification/typology does not include children exposure to domestic violence as a form of child abuse

Question

Do we need to consider including children exposed to domestic violence as a form of child abuse?



What is Children Exposure to DV

- * The multiple experiences of children living in homes where an adult is using violent behavior in a pattern of coercion against an intimate partner (Edleson, 2006)



Examples

- * Feeling tension building in home prior to assault
- * Seeing a mother assaulted or demeaned
- * Hearing loud conflict and violence
- * Learning about what happened to mother
- * Seeing the aftermath – e.g. injuries
- * Being taken hostage to force mother to return home
- * Being enlisted by violent parent to align against mother

Consequences of Children Exposed to DV

Physical functioning

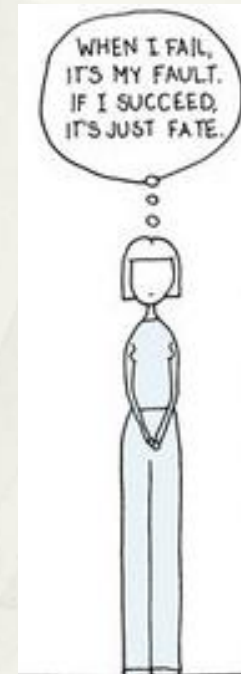
- * Poor physical health
- * Physical symptoms (bed-wetting, nightmare)
- * somatic complaints
- * increased autonomic arousal
- * Hyper-secretion of cortisol



Consequences of Children Exposed to DV

Emotional Functioning

- * Anxiety
- * difficult temperament
- * Low self-esteem
- * Depression
- * suicidal feelings
- * trauma/stress reactions /PTSD
- * Other negative emotions (e.g: feeling of loss, anger, sadness, self-blame)



Consequences of Children Exposed to DV

Behavioral Problems

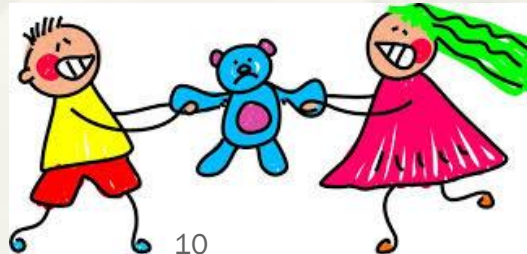
- * Aggression
- * Delinquency
- * Alcohol / drug abuse
- * Teenage pregnancy
- * Other internalizing and externalizing symptoms



Consequences of Children Exposed to DV

Social competence

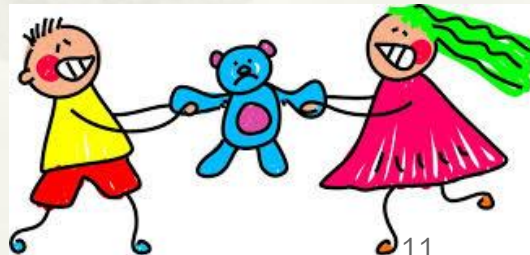
- * Shyness / withdrawal
- * social incompetence
- * low empathy
- * aggression, wariness and hostility in interpersonal relationships



Consequences of Children Exposed to DV

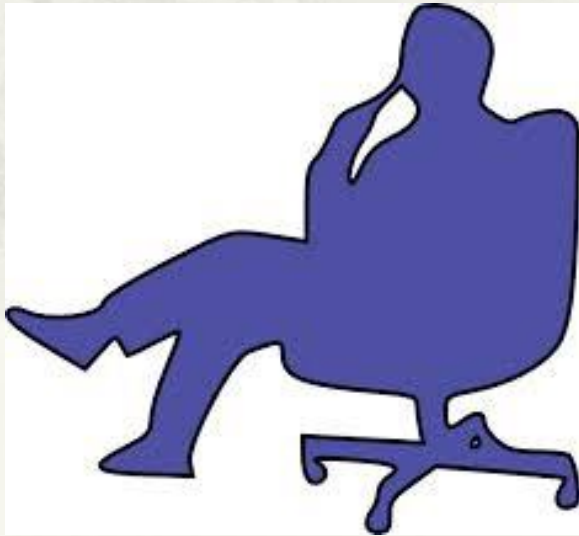
Cognitive impairments

- * cognitive deficits
- * negative perceptions
- * Academic and achievement problems
- * poor problem-solving and conflict resolution skills
- * deficits in adaptive behavior
- * altered information-processing ability
- * Increased vigilance for threat situations



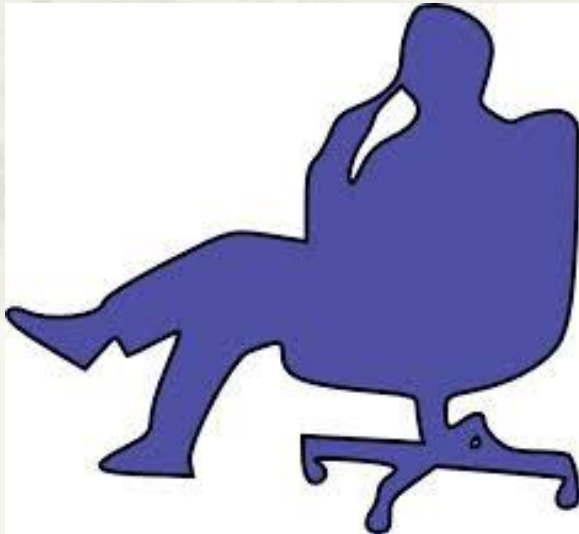
Question for Thought?

Are these
consequences
harm done to the
children?



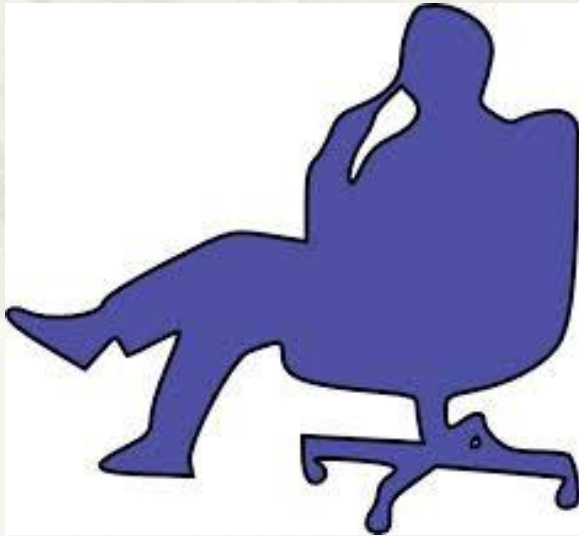
Question for Thought?

Who cause these harmful consequences to the children?



Question for Thought?

If these harmful consequences are caused by parents, should we consider exposing children to DV a form of child abuse ?



Standards for Evaluating Child Abuse

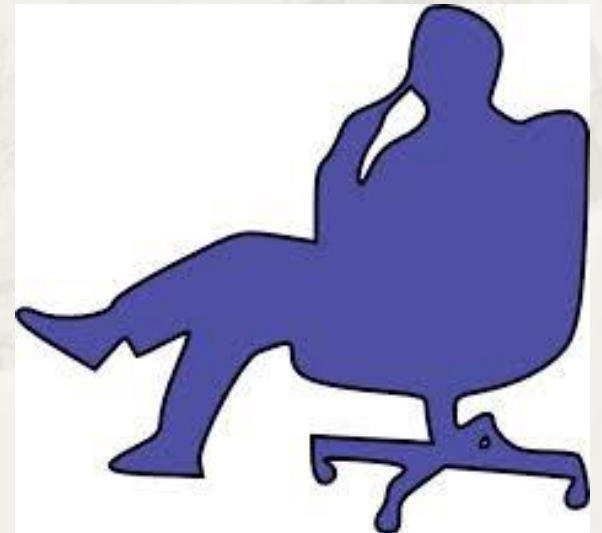
Harm Standard

- * children must have experienced some harm or injury from maltreatment in order for them to be counted as victims of child abuse

Children are harmed or endangered as a result of their parents' conflicts!

Endangerment standard

- * children in any category of maltreatment are counted as long as they are regarded as endangered by the abuse or neglect.



Current Remedy

By way of Protection of Children and Juvenile Ordinance, Cap. 213

Subject in need of care and protection, [s.34(2)(a)(b)(c)(d)]

- * who has been or is being assaulted, ill-treated, neglected or sexually abused;
- * whose health, development or welfare has been or is being neglected or avoidably impaired;
- * whose health, development or welfare appears likely to be neglected or avoidably impaired;
- * who is beyond control, to the extent that harm may be caused to him or to others, and who requires care or protection.

Current Limitations

- * Awareness and sensitivity to harmful consequences to children exposed to DV
- * Dichotomizing child abuse and domestic violence if not divorcing them
- * Focus of child protection easily lost in the midst of domestic violence
- * Difficulties of child protection in DV cases, i.e. choice of victim to stay with the perpetrator

US - Child Abuse Laws

- * many have taken the position that witnessing domestic violence constitutes a “failure to act which presents imminent risk of serious harm,” a form of neglect or emotional maltreatment under the Child Abuse Prevention and Treatment Act (CAPTA)
- * In Florida and Massachusetts, children exposure to domestic violence is considered as physical child abuse; in Montana, it is regarded as emotional abuse; and in Utah, a subcomponent of the child abuse law.
- * In Alaska, children exposure to domestic violence is not considered as child maltreatment. However, if a child was exposed to domestic violence, and being at risk, the child would qualify under the jurisdiction of the juvenile courts

US – Domestic Violence Law

- * Approximately 23 States currently address in statute the issue of children who witness domestic violence in their homes.
- * In many States, a conviction for domestic violence committed in the presence of a child may result in harsher penalties than without a child present.
- * In five states, committing domestic violence in the presence of a child is a separate crime that may be charged separately.

Source : https://www.childwelfare.gov/systemwide/laws_policies/statutes/witnessdv.pdf

Proposed Remedy

1. Inclusion of children exposure to domestic violence as a form of child abuse
2. Procedures for handling child abuse be extended to help with children exposed to domestic violence